

(SPACE BELOW FOR FILING STAMP ONLY)

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Counsel for TULARE LOCAL HEALTHCARE
DISTRICT, dba TULARE REGIONAL
MEDICAL CENTER

IN THE UNITED STATES BANKRUPTCY COURT

EASTERN DISTRICT OF CALIFORNIA

FRESNO DIVISION

In re

TULARE LOCAL HEALTHCARE
DISTRICT, dba TULARE
REGIONAL MEDICAL CENTER,

Debtor.

TULARE LOCAL HEALTHCARE
DISTRICT, dba TULARE REGIONAL
MEDICAL CENTER,

Plaintiff,

v.

GEORGE D. LAVERS, an individual;
and GEORGE D. LAVERS and
ELIZABETH J. LAVERS, as Trustees
under the George D. Lavers and
Elizabeth J. Lavers Revocable Living
Trust Agreement dated May 10, 1995,

Defendants.

CASE NO. 17-13797

Chapter 9

Adv. Proc. No.

Date: N/A

Time: N/A

Place: 2500 Tulare Street
Fresno, CA 93721

5th Floor, Courtroom 13
Judge: Honorable René Lastreto II

**COMPLAINT FOR DECLARATORY RELIEF TO DETERMINE
NATURE, EXTENT, AND VALIDITY OF INTERESTS IN PROPERTY**

1 Plaintiff TULARE LOCAL HEALTHCARE DISTRICT, dba TULARE REGIONAL
2 MEDICAL CENTER ("Plaintiff" or "Debtor") alleges against Defendants GEORGE D.
3 LAVERS, an individual and GEORGE D. LAVERS and ELIZABETH J. LAVERS, as
4 Trustees under the George D. Lavers and Elizabeth J. Lavers Revocable Living Trust
5 Agreement dated May 10, 1995 ("Trust") (collectively "Defendants") as follows:
6

7 **JURISDICTION AND VENUE**

8 1. This Court has jurisdiction over this adversary proceeding pursuant
9 to 28 U.S.C. § 157, 28 U.S.C. § 1331, and 28 U.S.C. § 1334.

10 2. This is a core proceeding pursuant to 28 U.S.C. § 157(b)(2)(A), (B),
11 (K), and (O); Plaintiff consents to the entry of a judgment in this matter by the
12 Bankruptcy Court.

13 3. This adversary proceeding relates to the Chapter 9 Case No. 17-
14 13797, *In re Tulare Local Healthcare District dba Tulare Regional Medical Center*
15 (the "Chapter 9 Case") which is currently pending before this Court.

16 4. Venue is proper in this judicial district pursuant to 28 U.S.C. § 1409.

17 **PARTIES**

18 5. Plaintiff is a California healthcare district, qualified to, and operating
19 in the State of California. Plaintiff is the debtor in the underlying Chapter 9 case.
20 It was previously known as Tulare Local Hospital District. On or about June 1,
21 1990, Plaintiff executed a short form deed of trust with assignment of rents
22 (individual), as a trustor, concerning the real property bearing the APN 170-072-
23 020 ("Deed of Trust"). This Deed of Trust was recorded on July 26, 1990 in the
24 official records of the County of Tulare, California as Instrument No. 46259. A
25 true and correct copy of the Deed of Trust is attached as Exhibit "A".
26
27
28

1 6. On information and belief, Plaintiff alleges that defendant George
2 D. Lavers is an individual. George D. Lavers is believed to be a beneficiary
3 under the Deed of Trust.

4 7. On information and belief, Plaintiff alleges that defendants George
5 D. Lavers and Elizabeth J. Lavers, are Trustees ("Trustees") under the George
6 D. Lavers and Elizabeth J. Lavers Revocable Living Trust Agreement dated May
7 10, 1995 ("Trust"). Plaintiff alleges that Trustees were transferees of the
8 beneficial interest from George D. Lavers and that Trustees received this interest
9 on or about May 10, 1995 as indicated by an Assignment of Deed of Trust
10 recorded on May 15, 1995 as Instrument No. 95-030974 in the official records of
11 the County of Tulare, California. It is believed that George D. Lavers and
12 Elizabeth J. Lavers are married to each other.
13
14

15 THE PROPERTY

16 8. The Deed of Trust concerns the real property bearing the APN 170-
17 072-020. This property originally had the APN 170-007-020 but this was
18 changed to the current APN subsequent to the Deed of Trust being recorded.
19 The common address is 941 N. Gem St., Tulare, CA 93274.

20 9. The legal description of the first parcel of property is as follows:
21
22 THE SOUTH 72 FEET OF LOT 2 OF TERRACE GARDEN, IN THE CITY OF
23 TULARE, COUNTY OF TULARE, STATE OF CALIFORNIA, AS PER MAP
RECORDED IN BOOK 21, PAGE 95 OF MAPS, TULARE COUNTY RECORDS.

24 10. The legal description of the second parcel of property is as follows:
25
26 LOTS 3 AND 4 OF TERRACE GARDEN, IN THE CITY OF TULARE, COUNTY
27 OF TULARE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK
28 21, PAGE 95 OF MAPS, TULARE COUNTY RECORDS.

 11. The legal description of the third parcel of property is as follows:

1 LOT 2 OF TERRACE GARDEN, IN THE CITY OF TULARE COUNTY OF
2 TULARE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 21,
3 PAGE 95 OF MAPS, TULARE COUNTY RECORDS.

4 EXCEPTING THEREFROM THE NORTHERLY 10 FEET THEREOF.

5 ALSO EXCEPTING THEREFROM THE SOUTH 72 FEET THEREOF.

6 12. All three parcels of property share the same APN which is 170-072-
7 020.

8 **GENERAL ALLEGATIONS**

9 13. Plaintiff filed a voluntary petition under Chapter 9 of 11 U.S.C. §
10 101, *et seq.* ("Bankruptcy Code") on September 30, 2017.

11 14. A plan of reorganization has not yet been proposed by Plaintiff.

12 15. On or about June 1, 1990, Plaintiff, as Trustor, executed the Deed
13 of Trust in favor of Defendants to evidence its obligation in a principal sum of
14 \$605,000.00. George D. Lavers received this Deed of Trust as a married man as
15 his sole and separate property.

16 16. However, a second short form deed of trust and assignment of
17 rents (individual) was recorded on November 8, 1990 as Instrument No. 74593
18 ("Corrected Deed of Trust"). A true and correct copy of this Corrected Deed of
19 Trust is attached as Exhibit "B". In the upper right-hand corner of this Corrected
20 Deed of Trust, it states the word "Correctory", indicating that it was recorded to
21 correct a previous mistake. The previous error appears to have been the
22 omission of "Parcel No. 3" which is the aforementioned parcel bearing the legal
23 description as stated in paragraph 11.

24 17. On or about May 10, 1995, George D. Lavers transferred his
25 beneficial interest to Trustees through an Assignment of Deed of Trust that was
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1 recorded on May 15, 1995. Exhibit "C" is a true and correct copy of the
2 Assignment of Deed of Trust.

3 18. Plaintiff has since satisfied the underlying obligation related to the
4 Deed of Trust and is entitled to have the Deed of Trust reconveyed. All sums
5 owed to the Defendants have been paid. The Deed of Trust clouds Plaintiff's
6 title to the subject property.
7

8 **FIRST CLAIM FOR RELIEF**

9 **(Declaratory Relief Sought by Debtor to Determine Nature, Extent, and
10 Validity of Interests)**


11 19. Plaintiff realleges and incorporates by reference each allegation
12 contained in paragraphs 1 through 18.

13 20. Under 28 U.S.C. § 2201, the Court "may declare the rights and
14 other legal relations of any interested party seeking such declaration, whether or
15 not future relief is or could be sought". Additionally, under 28 U.S.C. § 2202,
16 "[f]urther necessary or proper relief based on a declaratory judgment or decree
17 may be granted." Additionally, Federal Rule of Bankruptcy Procedure 7001(2)
18 provides that an adversary proceeding may be filed to determine nature, extent,
19 and validity of interests of the Debtor and others in property.

20 21. An actual case or controversy exists relating to the rights and legal
21 obligations of the parties with respect to ownership or other rights of the real
22 property described in paragraphs 8 through 12 above.
23

24 22. The Plaintiff asserts that it has satisfied the underlying obligation
25 related to the Deed of Trust and thus Plaintiff is entitled to an order clearing the
26 title to the subject property including declaring the Deed of Trust to be void.
27

28 //

<p style="text-align: center;">RECORDING REQUESTED BY</p> <p style="text-align: center;">TICOR TITLE INSURANCE COMPANY</p> <p style="text-align: center;">AND WHEN RECORDED MAIL TO</p> <p>Name <u>Dr. George D. Lavers</u> Street Address <u>c/o Mr. Kenneth Kune</u> <u>Attorney at Law</u> <u>145 No. N Street</u> City & State <u>Tulare, CA 93274</u></p>	<p style="font-size: 1.5em; font-weight: bold;">46259</p> <p>RECORDED AT REQUEST OF TICOR TITLE INS. CO. TIME <u>4:12 PM</u> FEE <u>44.00</u></p> <p style="font-size: 1.2em;">JUL 26 1990</p> <p>OFFICIAL RECORDS TULARE COUNTY, CALIFORNIA</p>																																																																																																																																																																																																
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ALL FTN. 170 007 002 19	<p>This Deed of Trust, made this <u>1st</u> day of <u>June</u>, 1990, between <u>TULARE LOCAL HOSPITAL DISTRICT</u>, herein called Trustor,</p> <p>whose address is <u>869 No. Cherry</u> <u>Tulare</u> <u>Ca</u>, 93274 (number and street) (city) (state) (zip)</p> <p>Ticor Title Insurance Company of California, a California corporation, herein called Trustee, and <u>GEORGE D. LAVERS</u>, a married man as his sole and separate property, herein called Beneficiary,</p> <p>Witnesseth: That Trustor IRREVOCABLY GRANTS, TRANSFERS AND ASSIGNS to TRUSTEE IN TRUST, WITH POWER OF SALE, that property in City of <u>Tulare</u>, <u>Tulare</u> County, California, described as:</p> <p>PARCEL NO. 1: The South 72 feet of Lot 2 of Terrace Garden, in the City of <u>Tulare</u>, County of <u>Tulare</u>, State of <u>California</u>, as per Map recorded in Book 21, Page 95 of Maps in the office of the County Recorder of said County.</p> <p>PARCEL NO. 2: Lots 3 and 4 of Terrace Garden, in the City of <u>Tulare</u>, County of <u>Tulare</u>, State of <u>California</u>, as per Map recorded in Book 21, Page 95 of Maps in the office of the County Recorder of said County.</p> <p>TOGETHER WITH the rents, issues and profits thereof, SUBJECT, HOWEVER, to the right, power and authority given to and conferred upon Beneficiary by paragraph (10) of the provisions incorporated herein by reference to collect and apply such rents, issues and profits.</p> <p>For the Purpose of Securing: 1. Performance of each agreement of Trustor incorporated by reference or contained herein. 2. Payment of the indebtedness evidenced by one promissory note of even date herewith, and any extension or renewal thereof, in the principal sum of <u>\$605,000.00</u> executed by Trustor in favor of Beneficiary or order. 3. Payment of such further sums as the then record owner of said property hereafter may borrow from Beneficiary, when evidenced by another note (or notes) reciting it is so secured.</p> <p>To Protect the Security of This Deed of Trust, Trustor Agrees: By the execution and delivery of this Deed of Trust and the note secured hereby, that provisions (1) to (14), inclusive, of the fictitious deed of trust recorded in Santa Barbara County and Sonoma County October 18, 1961, and in all other counties October 23, 1961, in the book and at the page of Official Records in the office of the county recorder of the county where said property is located, noted below opposite the name of such county, viz:</p> <table border="0" style="width: 100%; font-size: 0.8em;"> <tr> <td>COUNTY</td> <td>BOOK</td> <td>PAGE</td> <td>COUNTY</td> <td>BOOK</td> <td>PAGE</td> <td>COUNTY</td> <td>BOOK</td> <td>PAGE</td> <td>COUNTY</td> <td>BOOK</td> <td>PAGE</td> </tr> <tr> <td>Alameda</td> <td>435</td> <td>684</td> <td>Kings</td> <td>792</td> <td>833</td> <td>Pacer</td> <td>895</td> <td>301</td> <td>Sierra</td> <td>26</td> <td>325</td> </tr> <tr> <td>Alpine</td> <td>1</td> <td>250</td> <td>Lake</td> <td>362</td> <td>39</td> <td>Plumas</td> <td>151</td> <td>5</td> <td>Siskiyou</td> <td>468</td> <td>181</td> </tr> <tr> <td>Amador</td> <td>104</td> <td>348</td> <td>Lassen</td> <td>171</td> <td>471</td> <td>Riverside</td> <td>3005</td> <td>523</td> <td>Solano</td> <td>1105</td> <td>182</td> </tr> <tr> <td>Butte</td> <td>1145</td> <td>1</td> <td>Los Angeles</td> <td>72058</td> <td>898</td> <td>Sacramento</td> <td>4331</td> <td>62</td> <td>Sonoma</td> <td>1851</td> <td>688</td> </tr> <tr> <td>Calaveras</td> <td>145</td> <td>152</td> <td>Madera</td> <td>810</td> <td>170</td> <td>San Benito</td> <td>271</td> <td>383</td> <td>Stanislaus</td> <td>1715</td> <td>468</td> </tr> <tr> <td>Colusa</td> <td>296</td> <td>617</td> <td>Marin</td> <td>1508</td> <td>339</td> <td>San Bernardino</td> <td>5567</td> <td>61</td> <td>Sutter</td> <td>672</td> <td>297</td> </tr> <tr> <td>Contra Costa</td> <td>3978</td> <td>47</td> <td>Mariposa</td> <td>77</td> <td>292</td> <td>San Francisco</td> <td>A332</td> <td>906</td> <td>Tehama</td> <td>401</td> <td>289</td> </tr> <tr> <td>Del Norte</td> <td>78</td> <td>414</td> <td>Mendocino</td> <td>579</td> <td>530</td> <td>San Joaquin</td> <td>2470</td> <td>311</td> <td>Trinity</td> <td>93</td> <td>368</td> </tr> <tr> <td>El Dorado</td> <td>568</td> <td>458</td> <td>Merced</td> <td>1547</td> <td>538</td> <td>San Luis Obispo</td> <td>1151</td> <td>12</td> <td>Tulare</td> <td>2294</td> <td>275</td> </tr> <tr> <td>Fresno</td> <td>4626</td> <td>572</td> <td>Modoc</td> <td>184</td> <td>851</td> <td>San Mateo</td> <td>4078</td> <td>420</td> <td>Tuolumne</td> <td>135</td> <td>47</td> </tr> <tr> <td>Glenn</td> <td>422</td> <td>184</td> <td>Mono</td> <td>52</td> <td>429</td> <td>Santa Barbara</td> <td>1878</td> <td>860</td> <td>Ventura</td> <td>2082</td> <td>386</td> </tr> <tr> <td>Humboldt</td> <td>657</td> <td>527</td> <td>Monterey</td> <td>2194</td> <td>538</td> <td>Santa Clara</td> <td>6336</td> <td>341</td> <td>Yolo</td> <td>853</td> <td>245</td> </tr> <tr> <td>Imperial</td> <td>1091</td> <td>501</td> <td>Napa</td> <td>639</td> <td>86</td> <td>Santa Cruz</td> <td>1431</td> <td>494</td> <td>Yuba</td> <td>334</td> <td>456</td> </tr> <tr> <td>Inyo</td> <td>147</td> <td>598</td> <td>Nevada</td> <td>305</td> <td>320</td> <td>Shasta</td> <td>684</td> <td>528</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Kern</td> <td>3427</td> <td>60</td> <td>Orange</td> <td>5889</td> <td>611</td> <td>San Diego</td> <td>Series 2 Book 1961, Page 183887</td> <td></td> <td></td> <td></td> <td></td> </tr> </table> <p>(which provisions, identical in all counties, are printed on the reverse hereof) hereby are adopted and incorporated herein and made a part hereof as fully as though set forth herein at length; that he will observe and perform said provisions; and that the references to property, obligations, and parties in said provisions shall be construed to refer to the property, obligations, and parties set forth in this Deed of Trust.</p> <p>The undersigned Trustor requests that a copy of any Notice of Default and of any Notice of Sale hereunder be mailed to him at his address hereinbefore set forth.</p> <p style="text-align: right;">Signature of Trustor</p> <p>STATE OF CALIFORNIA } COUNTY OF <u>TULARE</u> } SS. <u>Tulare Local Hospital District</u> On <u>JUNE 8th</u> 1990 before me, the undersigned, a Notary Public in and for said State, personally appeared <u>CLARENCE L. RADHAM</u>, By <u>Clarence L. Radham</u> <u>MARICIA T. ROSS</u> personally known to me or proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) subscribed to the within instrument and acknowledged that <u>they</u> executed the same. WITNESS my hand and official seal.</p> <p>Signature <u>Diana Lopez</u></p> <div style="border: 1px solid black; padding: 5px; text-align: center; margin-top: 10px;">  <p>OFFICIAL SEAL DIANA LOPEZ NOTARY PUBLIC - CALIFORNIA TULARE COUNTY My comm. expires APR 23, 1991</p> </div> <p style="text-align: right;">(This area for official notarial seal)</p> <p>Title Order No. _____ Escrow BOOK No. <u>308635-GP</u></p>	COUNTY	BOOK	PAGE	COUNTY	BOOK	PAGE	COUNTY	BOOK	PAGE	COUNTY	BOOK	PAGE	Alameda	435	684	Kings	792	833	Pacer	895	301	Sierra	26	325	Alpine	1	250	Lake	362	39	Plumas	151	5	Siskiyou	468	181	Amador	104	348	Lassen	171	471	Riverside	3005	523	Solano	1105	182	Butte	1145	1	Los Angeles	72058	898	Sacramento	4331	62	Sonoma	1851	688	Calaveras	145	152	Madera	810	170	San Benito	271	383	Stanislaus	1715	468	Colusa	296	617	Marin	1508	339	San Bernardino	5567	61	Sutter	672	297	Contra Costa	3978	47	Mariposa	77	292	San Francisco	A332	906	Tehama	401	289	Del Norte	78	414	Mendocino	579	530	San Joaquin	2470	311	Trinity	93	368	El Dorado	568	458	Merced	1547	538	San Luis Obispo	1151	12	Tulare	2294	275	Fresno	4626	572	Modoc	184	851	San Mateo	4078	420	Tuolumne	135	47	Glenn	422	184	Mono	52	429	Santa Barbara	1878	860	Ventura	2082	386	Humboldt	657	527	Monterey	2194	538	Santa Clara	6336	341	Yolo	853	245	Imperial	1091	501	Napa	639	86	Santa Cruz	1431	494	Yuba	334	456	Inyo	147	598	Nevada	305	320	Shasta	684	528				Kern	3427	60	Orange	5889	611	San Diego	Series 2 Book 1961, Page 183887				
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GOVERNMENT CODE 27361.7

I CERTIFY UNDER PENALTY OF PERJURY THAT THE NOTARY SEAL ON THE DOCUMENT TO WHICH THIS STATEMENT IS ATTACHED READS AS FOLLOWS:

NAME OF NOTARY: DIANA LOPEZ DATE COMMISSION EXPIRES: 4-23-91
 PLACE OF EXECUTION: TULARE DATE: 7-26-90
 TIGOR TITLE INSURANCE COMPANY OF CALIFORNIA
 BY: [Signature]


<p>RECORDING REQUESTED BY TICOR TITLE INSURANCE COMPANY</p> <p>AND WHEN RECORDED MAIL TO Name Dr. George D. Lavers c/o Mr. Kenneth Kuney Attorney at Law Street Address 145 No. N Street City & State Tulare, CA 93274</p>	<p style="text-align: center;">46259 74593</p> <p style="text-align: center;">RECORDED AT REQUEST OF TICOR TITLE INS. CO. TIME <u>4:11 PM</u> FEE <u>4.61</u></p> <p style="text-align: center;">JUL 26 1990</p> <p style="text-align: center;">OFFICIAL RECORDS TULARE COUNTY, CALIFORNIA</p>																																																																																																																																																																																																
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<p>This Deed of Trust, made this <u>1st</u> day of <u>June</u>, 1990, between TULARE LOCAL HOSPITAL DISTRICT, whose address is <u>869 No. Cherry</u> (number and street) <u>Tulare</u> (city) <u>Ca</u> (state) <u>93274</u> (zip), hereinafter called Trustor, Ticor Title Insurance Company of California, a California corporation, hereinafter called Trustee, and GEORGE D. LAVERS, a married man as his sole and separate property, hereinafter called Beneficiary.</p> <p>Witnesseth: That Trustor IRREVOCABLY GRANTS, TRANSFERS AND ASSIGNS TO TRUSTEE IN TRUST, WITH POWER OF SALE, that property in City of <u>Tulare</u>, <u>Tulare</u> County, California, described as: PARCEL NO. 1: The South 72 feet of Lot 2 of Terrace Garden, in the City of <u>Tulare</u>, County of <u>Tulare</u>, State of <u>California</u>, as per Map recorded in Book 21, Page <u>95</u> of Maps in the office of the County Recorder of said County. PARCEL NO. 2: Lots 3 and 4 of Terrace Garden, in the City of <u>Tulare</u>, County of <u>Tulare</u>, State of <u>California</u>, as per Map recorded in Book 21, Page 95 of Maps in the office of the County Recorder of said County. PARCEL NO. 3: Lot 2 of Terrace Garden in the City of <u>Tulare</u>, County of <u>Tulare</u>, State of <u>California</u>, as per Map recorded in Book 21, Page 95 of Maps in the office of the County Recorder of said County. ALSO EXCEPTING THEREFROM the Northerly 10 feet thereof. Also excepting therefrom the South 72 feet thereof.</p> <p>THIS DEED OF TRUST IS BEING RECORDED FOR THE PURPOSE OF CORRECTING THE LEGAL DESCRIPTION. TOGETHER WITH the rents, issues and profits thereof, SUBJECT, HOWEVER, to the right, power and authority given and conferred upon Beneficiary by paragraph (10) of the provisions incorporated herein by reference to collect and apply such rents, issues and profits.</p> <p>For the Purpose of Securing: 1. Performance of each agreement of Trustor incorporated by reference or contained herein. 2. Payment of the indebtedness evidenced by one promissory note of even date herewith, and any extension or renewal thereof, in the principal sum of <u>\$605,000.00</u> executed by Trustor in favor of Beneficiary or order. 3. Payment of such further sums as the then record owner of said property hereafter may borrow from Beneficiary, when evidenced by another note (or notes) reciting it is so secured.</p> <p>To Protect the Security of This Deed of Trust, Trustor Agrees: By the execution and delivery of this Deed of Trust and the note secured hereby, that provisions (1) to (14), inclusive, of the fictitious deed of trust recorded in Santa Barbara County and Sonoma County October 18, 1961, and in all other counties October 23, 1961, in the book and at the page of Official Records in the office of the county recorder of the county where said property is located, noted below opposite the name of such county, viz:</p> <table border="1" style="width: 100%; border-collapse: collapse; font-size: small;"> <tr> <td>COUNTY</td><td>BOOK</td><td>PAGE</td><td>COUNTY</td><td>BOOK</td><td>PAGE</td><td>COUNTY</td><td>BOOK</td><td>PAGE</td><td>COUNTY</td><td>BOOK</td><td>PAGE</td></tr> <tr> <td>Alameda</td><td>435</td><td>684</td><td>Kings</td><td>792</td><td>833</td><td>Placer</td><td>895</td><td>301</td><td>Sierra</td><td>29</td><td>335</td></tr> <tr> <td>Alpine</td><td>1</td><td>250</td><td>Lake</td><td>362</td><td>39</td><td>Plumas</td><td>151</td><td>5</td><td>Siskiyou</td><td>468</td><td>181</td></tr> <tr> <td>Amador</td><td>104</td><td>348</td><td>Lassen</td><td>171</td><td>471</td><td>Riverside</td><td>3005</td><td>523</td><td>Solano</td><td>1105</td><td>182</td></tr> <tr> <td>Butte</td><td>1145</td><td>1</td><td>Los Angeles</td><td>12055</td><td>899</td><td>Sacramento</td><td>4331</td><td>62</td><td>Sonoma</td><td>1851</td><td>689</td></tr> <tr> <td>Calaveras</td><td>145</td><td>152</td><td>Madera</td><td>810</td><td>170</td><td>San Benito</td><td>271</td><td>383</td><td>Stanislaus</td><td>1715</td><td>456</td></tr> <tr> <td>Colusa</td><td>296</td><td>617</td><td>Marin</td><td>1508</td><td>339</td><td>San Bernardino</td><td>5567</td><td>61</td><td>Sutter</td><td>572</td><td>297</td></tr> <tr> <td>Contra Costa</td><td>3878</td><td>47</td><td>Mariposa</td><td>77</td><td>292</td><td>San Francisco</td><td>A332</td><td>905</td><td>Tehama</td><td>401</td><td>289</td></tr> <tr> <td>Del Norte</td><td>78</td><td>414</td><td>Mendocino</td><td>579</td><td>530</td><td>San Joaquin</td><td>2470</td><td>311</td><td>Trinity</td><td>93</td><td>366</td></tr> <tr> <td>El Dorado</td><td>568</td><td>456</td><td>Merced</td><td>1547</td><td>538</td><td>San Luis Obispo</td><td>1151</td><td>12</td><td>Tulare</td><td>2284</td><td>275</td></tr> <tr> <td>Fresno</td><td>4626</td><td>572</td><td>Modoc</td><td>184</td><td>851</td><td>San Mateo</td><td>4078</td><td>420</td><td>Tuolumne</td><td>135</td><td>47</td></tr> <tr> <td>Glenn</td><td>422</td><td>184</td><td>Mono</td><td>52</td><td>429</td><td>Santa Barbara</td><td>1878</td><td>860</td><td>Ventura</td><td>2082</td><td>386</td></tr> <tr> <td>Humboldt</td><td>657</td><td>527</td><td>Monterey</td><td>2194</td><td>538</td><td>Santa Clara</td><td>5336</td><td>341</td><td>Yolo</td><td>653</td><td>245</td></tr> <tr> <td>Imperial</td><td>1091</td><td>501</td><td>Napa</td><td>639</td><td>86</td><td>Santa Cruz</td><td>1431</td><td>494</td><td>Yuba</td><td>334</td><td>486</td></tr> <tr> <td>Inyo</td><td>147</td><td>598</td><td>Nevada</td><td>305</td><td>320</td><td>Shasta</td><td>684</td><td>528</td><td></td><td></td><td></td></tr> <tr> <td>Kern</td><td>3427</td><td>60</td><td>Orange</td><td>5889</td><td>611</td><td>San Diego</td><td>Series 2 Book 1961, Page 193687</td><td></td><td></td><td></td><td></td></tr> </table> <p>(which provisions, identical in all counties, are printed on the reverse hereof) hereby are adopted and incorporated herein and made a part hereof as fully as though set forth herein at length; that he will observe and perform said provisions; and that the references to property, obligations, and parties in said provisions shall be construed to refer to the property, obligations, and parties set forth in this Deed of Trust.</p> <p>The undersigned Trustor requests that a copy of any Notice of Default and of any Notice of Sale hereunder be mailed to him at his address hereinbefore set forth.</p> <p style="text-align: right;">Signature of Trustor</p> <p>STATE OF CALIFORNIA } COUNTY OF <u>TULARE</u> } ss. On <u>JUNE 8th</u> 1990 before me, the undersigned, a Notary Public in and for said State, personally appeared <u>CLARENCE L. PADHAM</u> <u>PATRICIA I. ROSS</u> personally known to me or proved to me on the basis of sat- isfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged that they executed the same. WITNESS my hand and official seal.</p> <p>Signature <u>Clarence Lopez</u></p> <div style="text-align: center;">  <p>OFFICIAL SEAL DIANA LOPEZ NOTARY PUBLIC - CALIFORNIA TULARE COUNTY My comm. expires APR 23, 1991</p> </div> <p style="text-align: right;">(This area for official notarial seal)</p> <p>Title Order No. _____ Escrow or Bank No. <u>308635-GP</u></p>		COUNTY	BOOK	PAGE	COUNTY	BOOK	PAGE	COUNTY	BOOK	PAGE	COUNTY	BOOK	PAGE	Alameda	435	684	Kings	792	833	Placer	895	301	Sierra	29	335	Alpine	1	250	Lake	362	39	Plumas	151	5	Siskiyou	468	181	Amador	104	348	Lassen	171	471	Riverside	3005	523	Solano	1105	182	Butte	1145	1	Los Angeles	12055	899	Sacramento	4331	62	Sonoma	1851	689	Calaveras	145	152	Madera	810	170	San Benito	271	383	Stanislaus	1715	456	Colusa	296	617	Marin	1508	339	San Bernardino	5567	61	Sutter	572	297	Contra Costa	3878	47	Mariposa	77	292	San Francisco	A332	905	Tehama	401	289	Del Norte	78	414	Mendocino	579	530	San Joaquin	2470	311	Trinity	93	366	El Dorado	568	456	Merced	1547	538	San Luis Obispo	1151	12	Tulare	2284	275	Fresno	4626	572	Modoc	184	851	San Mateo	4078	420	Tuolumne	135	47	Glenn	422	184	Mono	52	429	Santa Barbara	1878	860	Ventura	2082	386	Humboldt	657	527	Monterey	2194	538	Santa Clara	5336	341	Yolo	653	245	Imperial	1091	501	Napa	639	86	Santa Cruz	1431	494	Yuba	334	486	Inyo	147	598	Nevada	305	320	Shasta	684	528				Kern	3427	60	Orange	5889	611	San Diego	Series 2 Book 1961, Page 193687				
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EXHIBIT B
 Page 1 of 3

GOVERNMENT CODE 27361.7

I CERTIFY UNDER PENALTY OF PERJURY THAT THE NOTARY SEAL ON THE DOCUMENT TO WHICH THIS STATEMENT IS ATTACHED READS AS FOLLOWS:

NAME OF NOTARY: DIANA LOPEZ DATE COMMISSION EXPIRES: 4-23-91

PLACE OF EXECUTION: TULARE DATE: 7-26-90

TICOR TITLE INSURANCE COMPANY OF CALIFORNIA

BY: [Signature]

CAT. NO. NN00827
TO 1944 CA (8-84)

TICOR TITLE INSURANCE

(Individual)

STATE OF CALIFORNIA

COUNTY OF Tulare } ss.

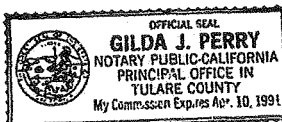
On October 26, 1990 before me, the undersigned, a Notary Public in and for said State, personally appeared Clarence L. Padham and Patricia C. Ross

, personally known to me or proved to me on the basis of satisfactory evidence to be the person, whose name same subscribed to the within instrument and acknowledged that they executed the same.

WITNESS my hand and official seal.

Signature

Gilda J. Perry
Gilda J. Perry



(This area for official notarial seal)

RECORDING REQUESTED BY Kevin D. Gunner AND WHEN RECORDED MAIL TO		95-030974	Rec Fee 7.00 Check 7.00
Name Address City & State	KEVIN D. GUNNER ATTORNEY AT LAW 1322 E. SHAW AVE #400 FRESNO, CA 93710	Recorded Official Records County of Tulare Greg Hardcastle Recorder 8:01am 15-May-95	DH 1
Title Order No. _____ Escrow No. _____		SPACE ABOVE THIS LINE FOR RECORDER'S USE	

Assignment of Deed of Trust APN: 170-007-02

FOR VALUE RECEIVED, the undersigned hereby grants, assigns and transfers to GEORGE D. LAVERS and ELIZABETH J. LAVERS, as Trustees under the GEORGE D. LAVERS and ELIZABETH J. LAVERS REVOCABLE LIVING TRUST AGREEMENT DATED May 10, 1995 all beneficial interest under that certain Deed of Trust dated JUNE 1, 1990 executed by

TULARE LOCAL HOSPITAL DISTRICT

, Trustor,

to TICOR TITLE INSURANCE COMPANY OF CALIFORNIA

, Trustee,

and recorded as Instrument No. 74593 on November 8, 1990 in book _____, page _____, of

Official Records in the County Recorder's office of TULARE County, California, describing land therein as:

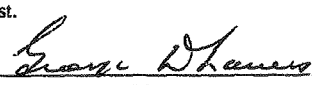
PARCEL NO. 1: The South 72 feet of Lot 2 of Terrace Garden, in the city of Tulare, County of Tulare, State of California, as per Map recording in Book 21, Page 95 of Maps in the office of the County Recorder of said County.

PARCEL NO. 2: Lot 3 and 4 of Terrace Garden, in the City of Tulare, County of Tulare, State of California, as per Map recorded in Book 21, Page 95 of Maps in the office of the County Recorder of said County.

PARCEL NO. 3: Lot 2 of Terrace Garden in the City of Tulare, County of Tulare, State of California, as per Map recorded in Book 21, Page 95 of Maps in the office of the County Recorder of said County. ALSO EXCEPTING THEREFROM the Northerly 10 feet thereof. Also excepting therefrom the South 72 feet thereof.

TOGETHER with the note or notes therein described or referred to, the money due and to become due thereon with interest, and all rights accrued or to accrue under said Deed of Trust.

Dated May 10, 1995


 GEORGE D. LAVERS

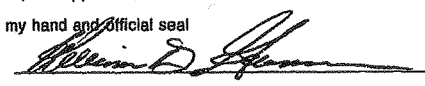
STATE OF CALIFORNIA }
 COUNTY OF FRESNO } S.S.


On May 10, 1995 before me,

KEVIN D. GUNNER
 a Notary Public in and for said County and State, personally appeared
GEORGE D. LAVERS

personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal

Signature  (This area for official notarial seal)



T 380 Legal (2-94)